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December 14, 2004

George Howarth, Clerk  
United States District Court for  
The District of Massachusetts  
Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

**Re: *Kevin Kilelee v. Dow Chemical Company***  
**Civil Action No. 04-V-12130 MEL**

Dear Mr. Howarth:

Upon your recommendation this morning, I am writing to inquire as to the status of Dow Chemical Company's Motion to Dismiss. Dow filed and served its motion by hand on November 15, 2004. The Plaintiff did not file any opposition to the Motion within the time allowed for such a filing, and the period for filing an opposition has now passed.

We respectfully request that you bring this matter to Judge Lasker's attention so that we may obtain a ruling on the Motion as soon as possible.

If you have any questions, please do not hesitate to call. Thank you very much for your assistance in this matter.

Sincerely yours,

SEYFARTH SHAW LLP

A handwritten signature in dark ink, appearing to read "Kristin G. McGurn".

Kristin G. McGurn

KGM/dnl

cc: Sara A. Arons, Esq.  
Sherry S. Heins, Esq.  
Lisa Damon, Esq.